IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

Crl.MC.No. 189 of 2007()

CRIME NO.86/06 OF VENMONEY POLICE STATION, ALAPPUZHA DISTRICT.

PETITIONER:

SUMA SREEDHARAN, D/O.SANTHAMMA,
AMBALATHAM VILAYIL, VENMONEY VILLAGE,
CHENGANNOOR TALUK, ALAPPUZHA DISTRICT.

BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
VENMONEY POLICE STATION, ALAPPUZHA DISTRICT.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR.

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 28/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

CRL.M.C.NO. 189 OF 2007

Dated this the 28th day of February, 2007

ORDER

The grievance of the petitioner is that the Section of the offence has been shown in the F.I.R. inelegantly as Sec.420 of the IPC. The crux of the allegation is that there was an incorrect information in a passport application. Her further grievance is that the passport has been seized; but not produced before the learned Magistrate.

2. The Investigating Officer has now filed a statement. In the statement, it is made clear that the passport which has been seized along with other connected documents has been produced before the Judicial First Class Magistrate's Court-I, Chengannoor on 9/2/07. It is further reported that in the course of investigation, it is revealed that the investigation need not continue for the offence under Sec.420 of the IPC. Such offence has been deleted and Sec.12(b) of the Indian Passport Act has been included.

3. In the light of these submissions the grievance of the petitioner does not survive. No further directions need be

issued in these circumstances. The petitioner can approach the learned Magistrate for return of the passport and such application must be considered by the learned Magistrate in accordance with law.

4. This Crl.M.C. is, in these circumstances, dismissed.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge